PROTECTED NATIVE PLANTS 7 - 4.000

A. TREES

BOTANICAL NAME	COMMON NAME
Acacia constricta	Whitethorn Acacia
Acacia greggii	Catclaw Acacia
Berberis haematocarpa	Red Barberry
Canotia holocantha	Crucifixion Thorn
Celtis pallida	Desert Hackberry
Cercidium floridum (Parkinsonia florida)	Blue Palo Verde
Cercidium microphylum (Parkinsonia microphyllum)	Foothills Palo Verde
Chilopsis linearis	Desert Willow
Juniperous mono sperma	One-Seeded Juniper
Olneya tesota	Ironwood
Populus fremontii	Cottonwood
Prosopis spp.	Mesquite
Quercus spp.	Scrub Oak
Rhus ovata	Sugar Sumac
Vauquelinea californica	Arizona Rosewood

B. CACTI

Botanical Name	Common Name
Carnegiea gigantea	Saguaro
Ferocactus spp.	Barrel
Fouquieria splendens	Ocotillo
Peniocereus greggii	Desert Night-Blooming Cereus
Yucca elata	Soaptree Yucca

NATIVE PLANT PERMITS 7 - 4.100

No protected plant material, as defined in Section 7-401.6 “Protected Native Plant of this manual, may be relocated, removed, or destroyed without a native plant permit. No native plant permit shall be issued unless an application is submitted in conjunction with an existing or proposed development that requires Development Review Board approval, City

Council approval, and/or Board of Adjustment, as determined by the city manager or designee. The submittal is separate from any other native plant submittal required for a Zoning Case, a Development Review Board case, or a Preliminary Plat Case. For a native plant permit to be issued, the following items (identified as A-J below) must be submitted to the City of Scottsdale One Stop Shop permit counter at 7447 E. Indian School Road, Suite 100. Submittals made with no action taken will be purged from the system after six months and fees will not be refunded.

7 - 4.101 SUBMITTAL REQUIREMENTS

A. Native Plant Application Form

A completed Native Plant Narrative and Application Form is required – see Figure 7.4-1.

B. Native Plant Program

A complete Native Plant Program with the following information, as outlined in Section 7.504 of the Scottsdale Zoning Ordinance:

1 Three (3) copies of a native plant inventory on an aerial photograph with a project overlay, or a site plan. The location of all protected native plants within the construction boundaries, and an additional fifty (50) foot buffer beyond the construction limits, or to the edge of the property, are to be shown on the plan.

- i The aerial site plan shall include the project name, a scale (minimum scale is 1" = 50'), a north arrow, a vicinity map, the adjacent street names, and the name of the company performing the inventory.

2 A list identifying the tag number, species, size, general condition, and salvage status of each protected plant within the area of disturbance. If a plant is noted as non-salvageable, the reason or reasons for the assessment must also be noted.

3 A salvage contractor must have prior methodology approval by City staff. A native plant inventory will not be accepted from a contractor who has not received prior approval of their methodology. This includes demonstrating a thorough knowledge of the native plant ordinance and boxing techniques. If the cactus salvage contractor is different than the tree salvage contractor, both will need to be reviewed and approved. Please contact the Current Planning Department at 480-312-7000 for information on obtaining approval to be placed on the list of native plant salvage contractors.

- i Due to the large number of Saguaros which have expired after being transplanted, and the length of time for the decline of the plant to be identified; the City, in conjunction with the Desert Botanical Garden, has established baseline standards for Saguaro relocation (see Figure 7.4-2 of this manual). Any deviation from an approved methodology or the Standards for Saguaro relocation requires prior City review and approval. Contact the Current Planning Department at 480-312-7000 for more information.

4 A relocation program identifying the ultimate use and placement of salvaged plant material including any proposals for plants to be removed from the project.

5 Nursery location for storage of salvaged plants.

C. Letter of Authorization

A letter of authorization from the property owner or authorized agent identifying a salvage contractor whose methodology has been previously approved by the City. For single-family home submittals, the name of the salvage contractor shall be noted on the native plant portion of the planning submittal. The salvage contractor is listed on the native plant permit issued through the One Stop Shop; therefore, a different salvage contractor may not be employed once the native plant permit has been issued. If the owner wishes to employ a different salvage contractor, approvals must be granted and a revised permit will need to be issued. The name of the new contractor must appear on the native plant permit before salvage work commences.

D. Notice of Intent to Clear Land

A copy of the stamped Arizona Department of Agriculture "Notice of Intent to Clear Land" form. To obtain the form, contact the Arizona Department of Agriculture, Native Plant Section at (602)542-3292 or visit their website at www.agriculture.state.az.us.

E. Notice of Tagging of Plants in the Field

Notice that all protected plants have been tagged and numbered in the field in conformance with Section 46-116 of the Scottsdale Revised Code.

1. White tag for plants remaining in place.
2. Red tag for plants being relocated/removed.
3. Blue tag for plants that are non salvageable.

The independently hired native plant salvage contractor shall be responsible for tagging each plant accordingly. Plants with white tags or no tags shall be protected for the duration of the project regardless of salvage status. Tags shall be numbered to correspond to the inventory numbering. In addition, construction boundaries, NAOS (Natural Area Open Space), and other undisturbed areas, need to be clearly staked in the field with yellow nylon rope or other means approved by the Planning Inspector. The Planning Inspector can be contacted by calling Inspection and Land Survey Services at 480-312-5750.

F. Natural Area Open Space exhibit for site

A copy of the NAOS exhibit for the site, showing locations of both natural and revegetated areas to be dedicated. All NAOS easements must be staked and roped in the field at the time of the native plant field walk. The native plant field walk is done before any site disturbance and is conducted with the Planning Inspector.

G. Review Fee

An initial fee is charged for the first hour in plan review. Additional review time will be charged at a rate of $66 per hour at the time the permit is issued. For single-family homes, this fee is included as part of the planning site plan review fee. City of Scottsdale fee information is available on-line at http://www.ScottsdaleAZ.gov/onestopshop.

H. Prior Approvals

If a project requires approval from the Development Review Board, the City Council, and/or the Board of Adjustment, the native plant permit will not be issued until the above-mentioned approvals have been finalized. This prior-approval requirement includes single-family homes. The native plant permit for all single-family custom homes will be issued concurrent with the building permit. Please note that no native plant permit can be issued unless there is an approved development plan for the site.

I. Permit Fee

At the time a permit is issued, a fee of twenty-seven ($27) dollars plus one ($1.04) dollar and four cents for each native plant to be removed, relocated, or destroyed; is due to the City. An Administrative Fee of $135 will also be added to the cost of each permit.

REVIEW CRITERIA

7 - 4.102

In conformance with Section 7.503 of the Scottsdale Zoning Ordinance, native plant program approval is based on demonstration of the following:

A. Density / Intensity of Development

The density/intensity of development for the approved land use is an important element in determining plant retention and salvage. The proposed Relocation Program needs to provide reasonable plant salvage, protection, and storage; and ensure consistency with existing neighborhood character.

B. On-Site Natural Amenities

The site plans are designed to protect and incorporate significant on-site natural amenities (i.e. aesthetic, unique, historic, etc.) These relationships promote and enhance the character of the native environment rather than contrast with or domesticate it.

C. Plant Inventory

A vegetation inventory and analysis of all protected plants provides a clear comprehensive overview and listing of plant material, their condition, and their physical relationship on-site to aid the site planning and determination of plant salvageability.

D. Revegetation and Natural Density

A conceptual analysis and design of the site revegetation and/or landscaping ensures the character of the project is consistent with the natural density, distribution, and maturity of the vegetation on the adjacent properties.

E. Excess Plants

Salvaged plants are required to be stored on-site and replanted within landscaped and/or revegetated areas. If conceptual design analysis reveals an excess supply of salvageable plants, the Relocation Program may propose alternative projects within the city where the salvaged plants may be relocated.

F. Incorporation of Plants in a Project

Incorporation of plant material into site design takes into consideration the following:

1 Conditions where protected plants remain in place:

- a Along natural washes where exposed roots, erosive soils, and steep slopes often make relocating plants difficult.
- b Where dense massing of plant materials provides an aesthetic setting, but individual plants may be unsalvageable.
- c In boulder outcroppings where digging out the root ball would be impractical.
- d Where unstable soils decrease the ability of the root ball to hold together.
- e When large specimen material does not lend itself to relocation.
- f When seasonal conditions reduce the salvageability rate to the point of making relocation undesirable.
- g When plants occur in a unique grouping or form.
- h When plants are located within designated scenic and vista corridors.
- i Within land use buffers such as scenic corridor or NAOS easements.

2 Conditions where protected plants may be relocated:

- a When retention of protected plant material is impractical due to reasonable construction, physical conditions are good, and plant material falls within the construction boundaries.

3 Conditions where protected plants may be removed from the site:

- a When the allowable site density is high and there are minimal areas for replacing plant material
- b When conditions yield more plant materials than can be relocated on the project.

In these cases, it is anticipated that part of the native plant program will include making excess plant material available to other projects, preferably non-profit, within the city. For more information on potential benefactors you may contact the City's Current Planning Department at (480) 312-7000. In order to remove any protected plant from a site, the persons removing the protected plants shall submit to the City Manager or his/her designee a plan demonstrating that one or more of the conditions noted above exists, and that all State of Arizona requirements have been met.

4 Protected plant materials may be destroyed:

   a When the physical condition of a protected plant is poor due to disease, infestation, mutilation, age, or poor natural conditions; and is located within the construction boundaries.

   b If a protected plant is involved in a safety issue and cannot be relocated, removed, or protected in place.

G. Additional Information

In addition to the above criteria, other items which may be requested to ensure compliance with the Scottsdale Zoning Ordinance:

1 Topographic map with contours at a minimum of five (5) feet intervals to show steep slopes.

2 Identification of natural features such as bedrock and boulder outcroppings.

3 General information on the soil types that exist on the site.

4 Drainage patterns of all washes carrying fifty (50) c.f.s. or greater.

5 Zoning of all adjacent properties.

6 Location of all dedications and easements both on the property and adjacent to it including, but not limited to: NAOS easements, drainage easements, right-of-way dedications, utility easements, etc.

7 Proposed site plan as it relates to all of the above and including, but not limited to the following:

   a Street alignments

   b Driveways locations

   c Areas to be revegetated.

   d Parking areas

INSPECTIONS

7 - 4.103

City staff will conduct the following inspections during the permit review process and the construction of the project:

A. Field Walk

The field walk is part of the first review of the Native Plant Program for commercial developments, plats, and miscellaneous projects. For single-family homes, the field walk is part of the Preliminary Site Inspection. The purpose of the field walk is to verify the accuracy of the native plant inventory and to identify other items that may allow for the greatest preservation of protected plant material.

B. Preliminary Site Inspection

A Preliminary Site Inspection (#42 Pre-Site Inspection) occurs once a Native Plant Permit is issued, but prior to any salvage activities. At the time of this inspection, the applicant must present the copy of the approved Native Plant Program stamped “Planning Inspectors Copy”, and a copy of the permit. A permit inspection card, also issued with the permit, is required to be posted on the site at all times.

C. Nursery Inspection

The Nursery/Maintenance Inspection assesses the actual results of the relocation process. It takes place one to two weeks after the last of the relocated plant materials have been placed in the nursery. The plant identification number from the inventory list needs to be clearly marked on the box or plant. To schedule your inspection, call (480) 312-5750.

D. Native Plant Tracking Form

The Native Plant Tracking Form (Figure 7.4-3) tracks the overall success ratios of salvaged protected plants. These numbers are quantified as part of the City of Scottsdale's Sustainability Indicators Project. The tracking form is submitted to the Planning Inspector. Any project that requires a native plant permit needs to submit a tracking form. The tracking form must be submitted within three months from the commencement of salvage operations and prior to the issuance of the Certificate of Occupancy.

E. Final Inspection

This inspection is to verify the ultimate location of relocated plant material and should be done in conjunction with Planning Inspection for receiving the Certificate of Occupancy by calling (480) 312-5750, or by calling the automated scheduling system, at (480) 312-5796.

7 - 4.104 ACTION ON APPLICATIONS

After submittal of a Native Plant Permit application, City staff may take one of three courses of action:

1. The application may be approved and the permit issued.
2. The application may be approved with conditions and the permit issued.
3. The application may be denied with conditions for approval.

Action taken on an application may be appealed to the Development Review Board in conformance with the procedures in Section 7.500 of the Scottsdale Zoning Ordinance. Submittals that are not acted upon within one year will be purged from the system and any fees paid are not refundable.

7 – 4.200 FREQUENTLY ASKED QUESTIONS

The following are answers to commonly asked questions about Native Plant Programs and Inventories:

A. What is a Native Plant Inventory?

The Native Plant Inventory is the identification of all native plants on a site protected by the Native Plant Ordinance. It contains, but is not limited to, the following items:

1. An aerial photograph with site plan overlay showing the location of all protected native plants within the proposed construction boundaries and within a fifty (50) foot buffer extending parallel to the boundary lines. These plans have a minimum scale of one inch equals fifty feet (1" = 50').
2. An inventory list, usually on 8 ½" x 11" sheets, identifying the species, size, general condition, and salvage status information for each specific plant located on the aerial photograph or site plan overlay noted above.
   a. The species listed by both botanical and common names.
   b. The size of trees in caliper inches and the size of cacti shall be in feet of height
   c. General condition of the plant to identify the salvageability of each specific plant. If a plant is not considered salvageable, the reason for the determination is to be noted.
   d. Salvage status to indicate what is going to happen to that plant – if it is to remain in place, to be relocated, or if it is not salvageable.

B. What standard is used to measure a tree's trunk diameter?

In order to measure the trunk of a tree, it must first be determined whether the tree is a single-trunk or a multi-trunk tree.

1. A single trunk tree means a tree with a single trunk protruding above grade attached to a single root ball. The diameter of single-trunk trees is measured at a point twelve (12) inches above grade. If the tree starts to branch out before that point, the measurement is taken at the point where the branching begins.
2. A multi-trunk tree means a tree having more than one trunk, two of which are three (3) inches or greater in diameter, protruding above grade from a single root ball and being separated by any portion of each. Multi-trunk trees are measured by the following method:
   a. Square the diameter of each trunk
   b. Add the squared diameters of all the trunks together
   b. Take the square root of the total above to give you the working diameter for that tree

Measurements are to occur prior to any pruning or branch removal operations and must take into account the entire base of the tree.

C. How is the height measured for a cactus?

A cactus is measured from the base at grade to the highest vertical point of the plant. The height of all arms is also included in the total. Ocotillo and Yucca are also measured in this way, except that the flower stalk of the Yucca is not included.

D. What is meant by tagging native plants?

Tagging native plants is the means by which each protected plant is identified and its salvage status is noted as follows:

1. A number is to be assigned to each specific plant. This number will identify this plant throughout the course of the project.
2. The number assigned to a given plant is visible on the plant or plant container at all times.
3. The salvage status of each plant is noted by the use of the following color code system
   a. Plants that are not good candidates for salvage are tagged with blue survey tape
   b. Plants to be salvaged and relocated are tagged with red survey tape
   c. Plants to remain in place are tagged with white survey tape

E. What should be inventoried and tagged?

The Native Plant Inventory is to include all plants of the types and sizes listed in Section 7-401.B.5 of the guidelines and Section 46-105 of the Scottsdale Revised Code (botanical name governing). The areas to be inventoried are as follows:

1. Everything within the designated construction boundaries, to include any areas required for access to the construction site – vehicular access, utility access easements, etc.
2. Everything within a fifty (50) foot buffer area parallel to the boundaries of the actual construction boundaries, up to the property lines.
3. Any other areas that are determined by City staff and the applicant to be of concern.

F. What can be done to the protected plants prior to obtaining a Native Plant permit?

No disturbance, including pruning, of any protected plants may occur prior to being issued your native plant permit.

G. Can I just destroy the protected plants and replace them with more and better materials?

For plant materials which have been determined by the salvage contractor or city staff to be salvageable, the answer is no. If a large number of the plant materials on a site are determined to be unsalvageable, a replacement program may be submitted as part of the Native Plant Program. The intent of a replacement program is to provide a variety of plant

types and sizes to match what exists in the surrounding desert community. The quantity of trees to be used in the replacement program is determined by City staff and the applicant, and will be based on the total number of trees and the total caliper inches being destroyed in relationship to what would be salvaged under normal conditions.

H. What is a field walk and how do I arrange one?

The field walk is performed by City staff upon receipt of a native plant submittal. Its purpose is to verify the accuracy of the Native Plant Inventory; to check the actual location of plant material in the field; and to check their physical relationship to the construction limits to determine any additional plants that may remain in place or be salvaged. The field walk is typically set up within three to four weeks from the time of receiving a complete submittal. The applicant or a representative need not be present, but if you wish to be, you can contact the City's Current Planning Department at (480) 312-7000.

I. Why do I have to indicate the location of a nursery site, and what is that inspection for?

The nursery site is identified to assure as little disturbance to the site and the salvaged plant material as possible. The inspection of the nursery site is to verify the results of the Native Plant Program and should be done when all the plants being relocated have been placed in the nursery; on larger projects, this may be completed in phases. Inspections can be arranged with the individual inspector from the Inspection and Land Survey Department assigned to your project. Their number will be listed on the permit.

J. Why must a salvage contractor have their salvage methodology approved by the City?

Standard methods for relocating plants need to be adjusted and fine tuned to work with the native plants of the Sonoran Desert. It has only been within the past two decades that methods have been developed which yield reasonable salvage rates on native trees. For this reason, the City requires that salvage contractors submit their methodologies for review and approval. New technology and refinements can be submitted for review and used on an experimental basis until shown to be as effective or superior to the existing methods.

K. How does someone get on the list of salvage contractors?

A company must submit a methodology outlining step-by-step procedures used to relocate and maintain protected native plant materials. Applicants must also demonstrate a thorough knowledge of the Native Plant Ordinance and tagging procedures. This may be submitted to the Native Plant Program Coordinator. Prior to approval of a methodology, the salvage contractor must present a valid City of Scottsdale Privilege Tax License number. Please call (480) 312-2400 for information on how to obtain a Privilege Tax License.

L. Who can prepare a Native Plant Inventory?

Anyone who is listed on the list of the City's Native Plant Salvage Contractors may prepare a Native Plant Inventory. Any inventory work that is done by an individual or company different from the company doing the salvage work must also include a formal letter from the new salvage contractor stating their acceptance of the original plant inventory. Changes to an approved native plant program will not be accepted by the Planning Inspector and will be returned to Plan Review for re-approval.

M. What about salvaging the plants that are not protected by the Native Plant Ordinance?

The City of Scottsdale strongly encourages the salvage and reuse of plants that are not on the protected list. Although this effort is voluntary, the city publishes a list of groups and companies who are interested in salvaging small, unprotected plants either for reuse on the same site or for purchase or donation for use in other landscape or restoration projects. In most cases, the salvage of existing plant material is more cost effective and achieves a natural appearance in a shorter period of time.